



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:
Powin, LLC, *et al.*,¹
Debtors.

Chapter 11
Case No. 25-16137 (MBK)
(Jointly Administered)

Order Filed on July 10, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**ORDER AUTHORIZING THE DEBTORS TO REDACT
AND FILE UNDER SEAL CONFIDENTIAL INFORMATION
CONTAINED IN SETTLEMENT AND RELEASE AGREEMENT**

The relief set forth on the following pages, numbered three (3) through five (5), is **ORDERED**.

DATED: July 10, 2025


Honorable Michael B. Kaplan
United States Bankruptcy Judge

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: (i) Powin Project LLC [1583]; (ii) Powin, LLC [0504], (iii) PEOS Holdings, LLC [5476], (iv) Powin China Holdings 1, LLC [1422], (v) Powin China Holdings 2, LLC [9713], (vi) Charger Holdings, LLC [15241], (vii) Powin Energy Ontario Storage, LLC [8348], (viii) Powin Energy Operating Holdings, LLC [2495], (ix) Powin Energy Operating, LLC [6487] (x) Powin Energy Storage 2, Inc. [9926]; (xi) Powin Energy Ontario Storage II LP [5787]; and (xii) Powin Canada B.C. Ltd. [2239]. The Debtors' mailing address is 20550 SW 115th Avenue Tualatin, OR 97062.

(page 2)

Debtors: Powin, LLC, et al.

Case No. 25-16137 (MBK)

Caption of Order: Order Authorizing the Debtors to Redact and File Under Seal Confidential Information Contained in Settlement and Release Agreement

Caption in Compliance with D.N.J. LBR 9004-1(b)

DENTONS US LLP

Lauren Macksoud (admitted)
101 JFK Parkway
Short Hills, NJ 07078
Telephone: (973) 912-7100
Facsimile: (973) 912-7199
Email: lauren.macksoud@dentons.com

Tania M. Moyron (admitted *pro hac vice*)
Van C. Durrer, II (admitted *pro hac vice*)
601 S. Figueroa Street #2500
Los Angeles, CA 90017
Telephone: (213) 623-9300
Facsimile: (213) 623-9924
Email: tania.moyron@dentons.com
van.durrer@dentons.com

John D. Beck (*pro hac vice* pending)
Sarah M. Schrag (*pro hac vice* pending)
1221 Avenue of the Americas
New York, NY 10020-1089
Telephone: (212) 768-6700
Facsimile: (212) 768-6800
Email: john.beck@dentons.com
sarah.schrag@dentons.com

*Proposed Counsel for Debtors and
Debtors in Possession*

TOGUT, SEGAL & SEGAL LLP

Frank A. Oswald (admitted)
550 Broad Street
Suite 1508
Newark, NJ 07102
Telephone: (212) 594-5000
Facsimile: (212) 967-4258
Email: frankoswald@teamtogut.com

Albert Togut (admitted *pro hac vice*)
Amanda C. Glaubach (admitted *pro hac vice*)
Eitan Blander (admitted *pro hac vice*)
One Penn Plaza, Suite 3335
New York, New York 10119
Telephone: (212) 594-5000
Facsimile: (212) 967-4258
Email: altogut@teamtogut.com
aglaubach@teamtogut.com
eblander@teamtogut.com

*Proposed Counsel for Debtors and
Debtors in Possession*

(page 3)

Debtors: Powin, LLC, et al.

Case No. 25-16137 (MBK)

Caption of Order: Order Authorizing the Debtors to Redact and File Under Seal Confidential Information Contained in Settlement and Release Agreement

Upon the *Debtors' Application for Entry of an Order Authorizing the Debtors to Redact and File Under Seal Confidential Information Contained in Settlement and Release Agreement* (the "Motion to Seal")¹ of the above-captioned debtors and debtors in possession (collectively, the "Debtors") for entry of an order (this "Order"): (a) authorizing the Debtors to redact and file under seal the Settlement Agreement; (b) directing that portions of the Settlement Agreement containing Confidential Information shall remain under seal and confidential and not be required to be made available to anyone, except to (i) the Court, (ii) the U.S. Trustee, (iii) the parties to the Settlement Agreement, and (iv) any other party as may be ordered by the Court or agreed to by the parties to the Settlement Agreement, according to its terms;² and (c) granting related relief, all as more fully set forth in the Motion to Seal; and upon the First Day Declaration, the Uzzi Declaration, and the Uzzi Sealing Declaration; and the Court having jurisdiction to consider the Motion to Seal and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference from the United States District Court for the District of New Jersey dated as of September 18, 2012, as amended on June 6, 2025; and the Debtors having asserted that venue of this proceeding and the Motion to Seal in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that sufficient cause exists for the relief set forth herein; and this Court having found that the Debtors' notice of the Motion to Seal was appropriate

¹ Capitalized terms used but not otherwise defined herein have the meanings given to them in the Motion to Seal.

² The Debtors will also provide an unredacted copy of the Settlement Agreement to the professionals representing a creditors' committee appointed pursuant to 11 U.S.C. § 1102.

(page 4)

Debtors: Powin, LLC, et al.

Case No. 25-16137 (MBK)

Caption of Order: Order Authorizing the Debtors to Redact and File Under Seal Confidential Information Contained in Settlement and Release Agreement

under the circumstances and no other notice need be provided; and this Court having reviewed the Motion to Seal and having heard the statements in support of the relief requested therein at a hearing before this Court; and this Court having determined that the legal and factual bases set forth in the Motion to Seal establish just cause for the relief granted herein; and this Court having considered the request and any objection thereto, it is **HEREBY ORDERED THAT:**

1. The Motion to Seal is **GRANTED** as set forth herein.
2. The Court finds that the Confidential Information is “commercial information” as set forth in section 107(b)(1) of the Bankruptcy Code and information protected by section 107(c) of the Bankruptcy Code.
3. Pursuant to sections 107(b) and 107(c) of the Bankruptcy Code, the Debtors are authorized to redact the Confidential Information contained in the Settlement Agreement, and the Debtors and any party authorized to receive the Confidential Information pursuant to this Order is authorized to redact references to the Confidential Information in any other documents filed with this Court in the Chapter 11 Cases.
4. The Debtors are authorized to make the Settlement Agreement in unredacted form available to (i) the Court, (ii) the U.S. Trustee, (iii) the parties to the Settlement Agreement, (iv) on a confidential, professionals’ eyes only basis, the professionals retained by the Committee, and (v) any other party as may be ordered by the Court or agreed to by the parties to the Settlement Agreement, according to its terms (collectively, the ”Authorized Parties”).

(page 5)

Debtors: Powin, LLC, et al.

Case No. 25-16137 (MBK)

Caption of Order: Order Authorizing the Debtors to Redact and File Under Seal Confidential Information Contained in Settlement and Release Agreement

5. Except as otherwise provided by a further order of this Court, the Confidential Information shall remain redacted and confidential and not be made available without the prior written consent of the Debtors and the other parties to the Settlement Agreement to any party other than the Authorized Parties; provided that the United States Trustee reserves the right to seek modification of this Order to require disclosure of the Settlement Payment in connection with the Debtors' disclosure obligations in the Chapter 11 Cases, including, but not limited to, a disclosure statement filed in the Chapter 11 Cases.

6. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion to Seal.

7. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.